

REMARKS/ARGUMENTS

Claims 1-12 and 18-27 are pending in this application. Claims 13-17 had been canceled.

Applicant has filed an RCE in order to allow time for a telephone interview. The examiner is requested to call the undersigned at the number below before issuing an office action in order to set up a telephone interview.

The invention is directed to providing video from a webcam to the Internet, which can be replaced by another, prerecorded image by the user (sender) when the user doesn't want to be on the webcam. This is not shown in the prior art. The office action needs 3 references to try to show all the elements. But it is the combination of elements in this method and apparatus that is new. Certainly webcams by themselves are not new, nor is selecting between video and stored images in other contexts. None of the references suggest combining them in the manner of the invention, which is only possible by hindsight.

Anderson simply shows a webcam

Truetken simply shows video being initiated when there is an incoming call for a video call.

Newly cited Ozaki simply shows a security console which monitors multiple cameras from a remote location, over the internet.

None of these references suggest a user, on the camera side of the webcam, switching to recorded images. Ozaki shows the viewer, on the receiving side of the video over the internet, switching views. This is completely different from the sender of the video switching to a recorded view on the transmitting side before the video is sent to the internet.

Note that claim 1 recites "an internet interfacing computer readable program code portion configured to cause said computer to effect the transmittal of said image data, for incorporation of said image data into a web cam page, to a web site hosting said web cam page." Thus, the claim is clearly directed to the transmitting side, not the receiving side as in Ozaki.

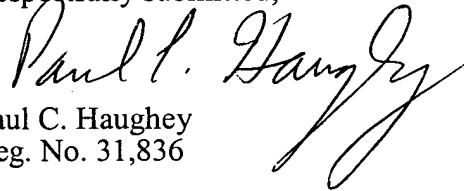
Independent claim 18 is similar. The elements of the other remaining dependent claims, in conjunction with the independent claims, as amended, are also not shown or suggested by the cited art.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner does not believe this amendment puts the application in condition for allowance, a telephone conference is respectfully requested. The undersigned can be reached at 415.576.0200 (x4087), or by direct dial at 415.273.4787.

Respectfully submitted,



Paul C. Haughey
Reg. No. 31,836

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
Attachments
PCH:rgy
60730465 v1